

Heller Ehrman White & McAuliffe LLP
Attorney Docket No. 37794-0032

U.S. Serial No. 09/986,344
Peter Law.

Amendment to the claims

Claims 1-32 (Previously Cancelled)

33. (Currently Amended) A method of supplying to the central nervous system of a human patient a peptide that binds an opioid receptor ~~or that interferes with binding of substance P to its receptor~~, comprising:

(a) obtaining ~~allogenic~~ autologous muscle cells from the patient and preparing an pure in vitro culture of myogenic cells;

(b) transducing the culture of (a) with DNA encoding the peptide, such that the myogenic cells express the peptide, then

(c) introducing the transduced myogenic cells as a suspension to a muscle ~~from~~ of the same human patient in a form that allows fusion with and intracellular expression of the peptide in pre-existing muscle cells of the human patient, the muscle selected from the group consisting of a paraspinal muscle, levator scapulae muscle, muscles between laminae IV and V of the spinal cord and neck muscle, so that the peptide is produced in proximity to the spinal cord of the patient.

34. (Currently Amended) The method of claim 33, wherein step (a) comprises the mechanical stimulation of the human patient's skeletal muscle tissue to produce a reservoir of satellite ~~myoblast~~-cells prior to removal of the satellite ~~myoblast~~ cells for in vitro culture.

35. (Previously Amended) The method of claim 34, wherein the mechanical stimulation is carried out by numerous needle probings or by sonication.

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36. (Previously Amended) The method of claim 34, wherein the satellite cells are allowed to develop for about 3 days after mechanical stimulation and before their harvest.

37. (Previously Amended) The method of claim 33, wherein more than 1 billion cells are cultured for administration into the patient.

38. (Previously Amended) The method of claim 33 wherein step (c) comprises injecting the transduced myogenic cells diagonally through muscle fibers.

39. (Previously Amended) The method of claim 33 wherein large chondroitin-6-sulfate proteoglycan is added to the suspension of cells prior to administering the cells to the patient.

40. (Previously Amended) The method of claim 39, wherein large chondroitin-6-sulfate proteoglycan is added to a final concentration of between about 5 micromolar to about 5 millimolar.

41. (Previously Amended) The method of claim 33, wherein insulin is added to the suspension of cells prior to administering the cells to the patient.

42 (Currently Amended) A method of supplying to the central nervous system of a patient a peptide that binds an opioid receptor ~~or that interferes with binding of substance P to its receptor~~, comprising:

(a) obtaining allogenic muscle cells from a human donor ~~the patient~~ and preparing an pure in vitro culture;

(b) transducing the culture of (a) with DNA encoding the peptide, such that the myogenic cells express the peptide, then

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(c) introducing at least 1 billion cells from (b) as a suspension into a patient muscle or into a region that contains fat cells , in a form that allows fusion with and intracellular expression of the peptide in pre-existing muscle cells or fat cells of the human patient.

43. (Currently Amended) The method of claim 42, wherein step (a) comprises the mechanical stimulation of ~~the patient's~~ a human donor's skeletal muscle tissue to produce a reservoir of satellite cells ~~myoblasts~~ ~~cells~~ prior to removal of the satellite cells ~~myoblast~~ ~~cells~~ for in vitro culture.

44. (Previously Amended) The method of claim 43, wherein the mechanical stimulation is carried out by numerous needle probings or by sonication.

45. (Previously Amended) The method of claim 43, wherein the satellite cells are allowed to develop for about 3 days after mechanical stimulation and before their harvest.

46. (Previously Amended) The method of claim 42, wherein about 10 billion progeny myoblast cells are cultured for administration into the patient.

47. (Previously Amended) The method of claim 42, wherein step (c) comprises injecting the transduced myogenic cells diagonally through muscle fibers.

48. (Previously Amended) The method of claim 42, wherein large chondroitin-6-sulfate proteoglycan is added to the suspension of cells prior to administering the cells to the patient.

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49. (Previously Amended) The method of claim 48, wherein large chondroitin-6-sulfate proteoglycan is added to a final concentration of between about 5 micromolar to about 5 millimolar.

50. (Previously Amended) The method of claim 48, wherein insulin is added to the suspension of cells prior to administrating the cells to the patient.

51. (Previously Amended) The method of claim 42, wherein the cells are introduced into a region that contains fat cells.